REMARKS

Favorable reconsideration and allowance of the present application are respectfully requested in view of the foregoing amendments and the following remarks.

Claims 1-8, 10-25, and 27-30 are pending in this application, including independent claims 1, 16, and 23. Claims 1, 16, and 23 are being amended in this paper. Independent claim 1, for instance, is directed to a laminate structure comprising a first substrate containing a thermoplastic polymer and a second substrate containing a thermoplastic polymer. Each substrate is textured using heat and pressure to form elevations and depressions in each substrate, the depressions being fused together to form fused portions and the elevations forming unfused portions. The unfused portions define elongated pockets that contain discrete regions of particles, the pockets having a length-to-width ratio of between about 4 to about 100. The fused portions define at least one perimeter region and at least one inner region. The inner region is bonded to an extent such that it is capable of delaminating upon the application of a force thereto, while the perimeter region withstands substantial delamination upon the application of this force.

In the Office Action, independent claims 1, 16, and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,892,535 to Bjornberg, et al. in view of U.S. Patent No. 5,411,497 to Tanzer, et al. In a previous Response filed on November 23, 2004, Applicants pointed out in detail how the liquid-impervious back sheet 3 of Bjornberg, et al.'s absorbent pad is *substantially flat* rather than a "textured" substrate possessing elevations and depressions. The Response to Arguments section of the recent Office Action, however, stated the following:

> [I]t is the examiner's position that the base layer taught by Bjornberg et al. would inherently bulge out to some degree creating elevations and depressions in the base layer because the base material is a flexible material and the weight of the particles in the pockets would prevent the base layer from remaining completely flat. . . . Therefore, the base layer will not remain completely flat in the finished product.

(Office Action, at 2-3).

In this paper, Applicants have limited the claims of the application to point out that both substrates are textured *using heat and pressure* to form elevations and depressions in each substrate. (Appl., pp. 21-23). Page 21 of Applicants' specification refers to Figure 6, describing that one or more of the substrates can be textured such that the substrate contains depressions and elevations. (Appl., p. 21, lines 5-8 and Amdt. of June 23, 2004, page 2). According to Figure 6, substrates 12 and 14 are passed under roll 30 that is heated and contains a surface having various protrusions 32. (Appl., p. 23, lines 10-16). Another heated roll 34 can also be used to facilitate the fusing of the substrates 12 and 14, and roll 34 may also have a certain pattern of protrusions. (Appl., p. 23, lines 16-20).

No such laminate structure or absorbent article, wherein both first and second substrates are textured using heat and pressure to form elevations and depressions in each substrate, is taught by Bjornberg, et al. Rather, in Bjornberg, et al.'s absorbent pad, a back sheet 3 is laminated to a cover sheet, wherein pockets are formed in the cover sheet while the back sheet remains substantially flat. Bjornberg, et al. repeatedly explains that its "pockets" are formed in its "cover sheet" 7, **not** in its back sheet 3. (See, e.g., col. 2, lines 60-62; col. 4, lines 10-13; col. 5, lines 39-56; col. 7, lines 48-52, etc.). For instance, column 2, lines 41-45 of Bjornberg, et al. describe the cover sheet

between the channels being of "three-dimensional form having a plurality of spaced pockets therein, in each of which one of the bodies of absorbent material is disposed," not once suggesting that the back sheet 3 has any sort of "three-dimensional form."

Thus, Applicants respectfully submit that Bjornberg, et al. completely fails to disclose or suggest a laminate structure or an absorbent article wherein first and second substrates are both textured using heat and pressure to form elevations and depressions in each substrate. And Tanzer, et al. does not remedy this deficiency in the disclosure of Bjornberg, et al. Specifically, while Tanzer, et al. teaches that its water-sensitive attaching means may allow carrier layers 98 and 100 to delaminate from each other under certain amounts of swelling, Tanzer, et al., like Bjornberg, et al., fails to describe Applicants' laminate structures and absorbent articles in which first and second substrates are textured using heat and pressure to form elevations and depressions in each substrate, wherein the depressions are fused together. Accordingly, Applicants respectfully submit that independent claims 1, 16, and 23 patentably define over the proposed combination of Bjornberg, et al. and Tanzer, et al.

Further, in the Office Action, independent claims 1, 16, and 23 were rejected under 35 U.S.C. § 103(a) in view of U.S. Patent No. 5,938,650 to Baer, et al. However, Baer, et al. fails to teach or suggest several aspects of Applicants' claims. For instance, independent claims 1, 16, and 23 require that the length-to-width ratio of the pockets is between about 4 to about 100. This claimed pocket size is particularly designed to facilitate delamination of the inner region of fused portions upon application of a force, while preventing substantial delamination in the perimeter region of fused portions upon application of the same force. (Appl., p. 8, lines 17-25; p. 25, line 29 – p. 27, line 6).

In contrast to Applicants' specifically selected dimensions of the pockets (e.g., a length-to-width ratio of between about 4 to about 100), Baer, et al. recites no dimensions for the size/shape its pockets may have. The only dimension supplied by Baer, et al. states that its entire absorbent core may have a thickness of from less than about 7 mm. Thus, Applicants respectfully submit that the claims patentably define over Baer, et al. for at least the reason that the reference fails to teach or suggest the claimed length-to-width ratio of the pockets.

Moreover, Baer, et al. fails to teach or suggest Applicants' claimed laminate structures and absorbent articles in which the fused portions define at least one perimeter region and at least one inner region, wherein the inner region is bonded to an extent such that it is capable of delaminating upon the application of a force thereto, while the perimeter region withstands substantial delamination upon the application of the same force. All that Baer, et al. recites about possible delamination is summarized below:

- In some cases, the pressure caused by the swelling SAP particles can cause rupture of bond lines around one or more of Baer, et al.'s pockets, thereby increasing available volume and flow into adjacent, less saturated pockets. (Col. 2, lines 35-38).

- Discussing bond lines 32, Baer, et al. states that the fabric is not completely fused along these lines, although the bond is permanent and will not delaminate during initial swelling of the pockets when exposed to liquid. (Col. 4, lines 15-22).

- While the heat seal lines 32 remain intact during initial swelling of the pockets, Baer et al. "contemplates" that in some applications, force generated by the swollen SAP particles near saturation can or will cause disruption of at least a portion of a seal line, thus providing additional volume capacity and transfer into adjacent pockets. (Col. 4, lines 56-61).

Not one of these statements discloses or suggests Applicants' specific laminate structures and absorbent articles in which the depressions of two textured substrates are fused together to form fused portions, wherein those fused portions define (1) at least one perimeter region and (2) at least one inner region, and wherein the inner region is bonded to an extent such that it is capable of delaminating upon the application of a force thereto, while the perimeter region withstands substantial delamination upon the application of the same force. Essentially, Baer, et al. mentions delamination very generally as a potential secondary result that might occur in its absorbent cores, not recognizing the benefits of bonding fused portions in a certain way such that substantial delamination in a perimeter region of a structure is prevented while delamination within an inner region of the structure is allowed. For at least these reasons, then, Applicants respectfully submit that the laminate structures, absorbent articles, and methods of the present claims would not have been obvious to one of ordinary skill in the art in view of the teachings of Baer, et al.

In addition, the above-cited references were also cited alone and/or in various combinations to reject the dependent claims. Applicants respectfully submit, however, that at least for the reasons indicated above relating to corresponding independent claims 1, 16, and 23, the dependent claims patentably define over the references cited. However, Applicants also note that the patentability of the dependent claims does not necessarily hinge on the patentability of independent claims 1, 16, and 23. In particular, some or all of the dependent claims may possess features that are independently patentable, regardless of the patentability of claims 1, 16, and 23.

As such, for at least the reasons set forth above, Applicants respectfully submit that the present claims patentably define over all of the prior art of record. It is believed that the present application is in complete condition for allowance and favorable action, therefore, is respectfully requested. Examiner Befumo is invited and encouraged to telephone the undersigned, however, should any issues remain after consideration of this Amendment.

Please charge any additional fees required by this Amendment to Deposit Account No. 04-1403.

Respectfully submitted,

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